

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Express Mail No. EL 483388309US**

Applicant: Jayant Neogi  
Application No.: 10/018,817  
Filed: December 17, 2001  
Title: METHOD APPARATUS AND ARTICLE OF  
MANUFACTURE FOR BRANDING A  
DIAMOND WITH A FOCUSED ION BEAM

Grp./Div.: TBD  
Examiner: TBD

Docket No.: 42637/GDL/N288

**PETITION UNDER 37 CFR 1.47(b) and MPEP 409.03**

Box PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Post Office Box 7068  
Pasadena, CA 91109-7068  
August 12, 2002

Commissioner:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in The United States Designated/Elected Office (DO/EO/US), as attorney of record in the above identified application (hereafter the "Application"), on behalf of Norsam Technologies, Inc. (hereafter "Norsam"), 852 Gilmore Street, Santa Fe, New Mexico 87501.

I hereby petition under 37 CFR 1.47(b) and MPEP 409.03 for acceptance of the above identified application on behalf of a sole inventor Mr. Jayant Neogi who refuses to execute the Declaration and Power of Attorney and the Assignment after repeated requests regarding the same.

Norsam is the assignee of the subject U.S. Application as a result Jayant Neogi executing an assignment to Norsam (Exhibit A), recorded at Reel/Frame 011965/0040, of Provisional Application

**Application No. 10/018,817**

No. 60/139,535, filed June 16, 1999, of which the subject application claims priority under 35 U.S.C. §119. In this assignment, Mr. Neogi assigned to Norsam Technologies, Inc. "the entire right, title and interest in and to the invention, the application, and any Letters Patent that might be granted for the invention in the United States and throughout the world."

On behalf of Norsam ("Assignee"), I further hereby petition that any patent which may issue from the Application be issued to Assignee Norsam.

In accordance with 37 CFR 1.47(b), this Petition is accompanied by the following:

1. Declaration and Power of Attorney for Patent Application (Exhibit B) as required by 37 CFR 1.63 and 1.64 and MPEP §324, executed by Mr. John Bishop, President of Norsam.
2. Declaration (Exhibit C) by John Bishop, President of Norsam, stating Norsam's:
  - a. relationship to the inventor,
  - b. attesting to the pertinent facts surrounding Mr. Neogi's refusal to sign the Declaration for Patent Application upon presentation of a full and complete copy of the patent application and the Declaration for Patent Application, and
  - c. establishing the necessity of this Petition to preserve the rights of Norsam
3. Declaration by Gary D. Lueck (Exhibit D), counsel of record, attesting to diligent efforts requesting that Mr. Neogi execute the Patent Application Declaration and Power of Attorney, together with supporting Exhibits 1-16.
4. A check covering the amount of \$130.00 for payment of the petition fee required by 37 CFR 1.17(h) is enclosed. The Commissioner is hereby authorized to charge any fees associated with this communication, or credit any overpayment, to Deposit Account No. 03-1728.
5. The name and last known address of the inventor is:

Jayant Neogi  
19150 SW Leanne Court  
Aloha, OR 97007

08/15/2002 ATRAM1 00000098 10018817

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130.00 0P

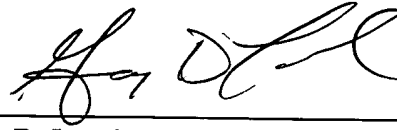
Application No. 10/018,817

Norsam believes that all statutory requirements have been sufficiently met, and accordingly respectfully requests prompt acceptance of this petition. However, if there are any remaining matters, a telephone call to the undersigned would be appreciated.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By



Gary D. Lueck  
Reg. No. 50,791  
626/795-9900

GDL/kec

KEC PAS446331.1-\* -8/12/02 2:01 PM



GD L ②RAS

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SEPTEMBER 18, 2001

CHRISTIE, PARKER & HALE, LLP  
ROBERT A. SCHROEDER, ESQ.  
P.O. BOX 7068  
PASADENA, CA 91109-7068

PTAS

RECEIVED



\*101776800A\*

SEP 20 2001 CASE # 42417 ACTION

Christie, Parker & Hale, LLP

REMINDER

DEADLINE

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/10/2001

REEL/FRAME: 011965/0040  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
NEOGI, JAYANT

DOC DATE: 06/16/1999

ASSIGNEE:  
NORSAM TECHNOLOGIES  
852 GILMORE STREET  
SANTA FE, NEW MEXICO 87501

SERIAL NUMBER: 60139535  
PATENT NUMBER:

FILING DATE: 06/16/1999  
ISSUE DATE:

JEFFREY OLSEN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

EXHIBIT A

07-16-2001

FORM PTO-1595

REC



Docket No. 42417/RAS/N288

101776800

Box Assignment  
 Commissioner of Patents and Trademarks 7-10-01  
 Washington, D.C. 20231

Post Office Box 7068  
 Pasadena, CA 91109-7068

Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof:

1. Name of conveying party(ies): <b>JAYANT NEOGI</b>  Additional name(s) of conveying party(ies) attached: NO		2. Name and address of receiving party(ies): Name: <b>NORSAM TECHNOLOGIES</b> Street Address: <b>852 Gilmore Street, Santa Fe, New Mexico 87501</b>  Additional name(s) & address(es) attached? NO			
3. Name of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other:  Execution Date: June 16, 1999					
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: <table border="1"> <tr> <td>           A. Patent Application No.(s)  <b>60/139,535</b> </td> <td>           B. Patent No.(s)         </td> </tr> </table> Additional numbers attached? NO				A. Patent Application No.(s) <b>60/139,535</b>	B. Patent No.(s)
A. Patent Application No.(s) <b>60/139,535</b>	B. Patent No.(s)				
5. Please return the recorded document and address all correspondence to: <b>CHRISTIE, PARKER &amp; HALE, LLP</b> P.O. Box 7068 Pasadena, CA 91109-7068 Attention: Robert A. Schroeder, Esq.		6. Total number of applications and patents involved..... <b>1</b>  7. <input checked="" type="checkbox"/> Total fee enclosed (37 CFR 3.41): \$ 40.00 8. <input checked="" type="checkbox"/> Any deficiency or overpayment of fees should be charged or credited to Deposit Account No. 03-1728, except for payment of issue fees required under 37 CFR § 1.18. Please show our docket number with any credit or charge to our Deposit Account.			
10. <input type="checkbox"/> Explanatory letter is enclosed.					
9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Date: June 27, 2001 By <u>Robert A. Schroeder</u> Name: Robert A. Schroeder - Reg. No. 25,373 626/795-9900  I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENT, WASHINGTON, D.C. 20231 ON 6/27/01 <u>Carmen E. Hernandez</u> DATE SIGNATURE  Total number of pages including cover sheet, attachments, and document: <b>3</b>					

GDL/ceh

CEH PAS360616 1-6/27/01 3:45 PM

07/13/2001 DBYRNE 00000190 60139535 40.00  
 01 FC:501

## ASSIGNMENT

WHEREAS, Jayant Neogi, of Santa Fe, New Mexico, Assignor, has invented a new and useful ION BEAM MILLING OF DURABLE SUBSTRATES SUCH AS DIAMONDS AND OTHER CARBON BASED MATERIALS, for which a provisional application for United States Letters Patent was filed on June 16, 1999, Serial No. 60/139,535; and

WHEREAS, Assignor believes himself to be the original, first and sole inventor of the invention disclosed and claimed in the application for Letters Patent; and

WHEREAS, Norsam Technologies, a New Mexico corporation, having a place of business at 1570 Pacheso Street, E-13, Santa Fe, NM 87505, Assignee, desires to acquire by formal, recordable assignment the entire right, title and interest in and to the invention, the application, and any Letters Patent that might be granted for the invention in the United States and throughout the world;

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby sells, assigns and transfers to Assignee, the entire right, title and interest in and to the invention, the application, and any Letters Patent that might be granted for the invention in the United States and throughout the world, including the right to file foreign applications directly in the name of Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or

otherwise.

Further, Assignor agrees that, upon request and without further compensation, but at no expense to Assignor, he and his legal representatives and assigns will perform all lawful acts, including the execution of papers and the giving of testimony, that might be necessary or desirable for obtaining, sustaining, reissuing or enforcing Letters Patent in the United States and throughout the world for the invention, and for perfecting, recording or maintaining the title of Assignee, its successors and assigns, to the invention, the application, and any Letters Patent granted for the invention in the United States and throughout the world.

Assignor represents and warrants that he has not granted and will not grant to others any rights inconsistent with the rights granted by this Assignment.

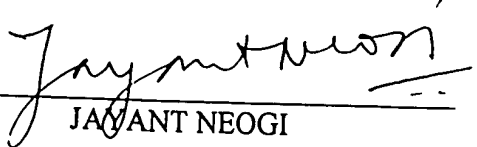
Assignor authorizes and requests the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for the invention, whether on the application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in the invention.

IN WITNESS WHEREOF, Assignor has executed this Assignment.

Assignor

Dated: \_\_\_\_\_

6/16/99

  
JAYANT NEOGI

11:WP51WORSAM42952ASN 001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Express Mail No. EL 483388309US

Applicant: Jayant Neogi  
Application No.: 10/018,817  
Filed: December 17, 2001  
Title: METHOD AND APPARATUS FOR BRANDING A  
DIAMOND WITH A FOCUSED ION BEAM  
  
Grp./Div.: TBD  
Examiner: TBD  
  
Docket No.: 42637/GDL/N288

**DECLARATION OF JOHN BISHOP  
IN SUPPORT OF PETITION UNDER 37 C.F.R. 1.47(b) and MPEP 409.03**

Box PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Post Office Box 7068  
Pasadena, CA 91109-7068  
August 12, 2002

Commissioner:

I, John Bishop hereby declare:

1. I am the President of Norsam Technologies, Inc. (hereafter "Norsam").
2. Norsam is currently involved in licensing agreements and receiving royalties based on the subject matter of the above-identified U.S. patent application.
3. Mr. Jayant Neogi was a former employee of Norsam Technologies, Inc. and worked in an engineering capacity in connection with technologies relating to gemstones.



4. It was the normal and usual practice for Mr. Neogi to sell, assign, and transfer to Norsam his entire right, title and interest in and to inventions, applications, and any Letters Patents that might be granted for the inventions in the United States and throughout the world for work which was within the scope of Mr. Neogi's employment at Norsam.

5. I understand that Norsam's counsel, Gary D. Lueck, worked with Mr. Neogi in preparing a Response to Written Opinion in connection with the PCT Application related to the subject U. S. Application.

6. I also understand that Mr. Lueck has repeatedly and unsuccessfully attempted to have Mr. Neogi execute a Declaration and Power of Attorney in connection with the subject U.S. Application.

7. As of the date of this Declaration, I have not received any correspondence from Mr. Neogi regarding his execution of the Declaration and Power of Attorney in the subject U.S. Application.

8. I further understand that if Mr. Neogi does not execute the Declaration and Power of Attorney in the subject U.S. Application, the U.S. Application can be abandoned.

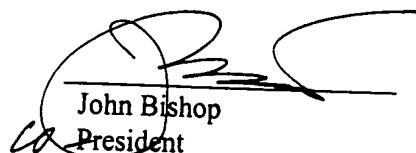
9. As a result of Mr. Neogi's refusal to execute the Declaration and Power of Attorney, Norsam is required to pursue this Petition in order to prevent abandonment of the U.S. Application, preserve its rights in the US Application, maintain its licensing revenues based on the U.S. Application, and secure its ability to pursue future licensing agreements based on the U.S. Application and any Letters Patent that might issue from the U.S. Application.

10. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated:

8/6/02

  
John Bishop  
President  
Norsam Technologies, Inc.

DJL PAS446457.1-\*.8/1/02 2:26 PM

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Express Mail No. EL 483388309US

Applicant: Jayant Neogi  
 Application No.: 10/018,817  
 Filed: December 17, 2001  
 Title: METHOD AND APPARATUS FOR BRANDING A  
 DIAMOND WITH A FOCUSED ION BEAM  
 Grp./Div.: TBD  
 Examiner: TBD  
 Docket No.: 42637/GDL/N288

DECLARATION OF GARY D. LUECK  
 IN SUPPORT OF PETITION UNDER 37 C.F.R. 1.47(b) and MPEP 409.03

Box PCT  
 Assistant Commissioner for Patents  
 Washington, D.C. 20231

Post Office Box 7068  
 Pasadena, CA 91109-7068  
 August 12, 2002

Commissioner:

I, Gary D. Lueck, hereby declare:

1. I am counsel of record for Norsam Technologies, Inc. (hereafter "Norsam") for the United States national stage patent application identified above (hereafter "U.S. Application").
2. On or about June 16, 2000, a PCT application (hereafter "PCT Application") was filed with Mr. Jayant Neogi named as the sole inventor. The PCT Application claims priority to U.S. Provisional Application No. 60/139,535, filed June 16, 1999, in which Mr. Neogi is also the sole inventor.

3. On or about May 9, 2001, I received the Written Opinion in the PCT Application. The date of the Written Opinion was April 27, 2001. The deadline to respond to the Written Opinion was June 27, 2001.

4. On or about June 6, 2001, I sent a draft Response to Written Opinion to Mr. Neogi for review via facsimile in connection with the PCT Application. On or about June 20, 2001, I sent the Written Opinion, draft Response to Written Opinion, and PCT Application to Mr. Neogi for review via facsimile. The Response to the Written Opinion was filed on June 27, 2001.

5. The U.S. Application includes the same specification, figures, and claims as the PCT application, as amended in the Response to the Written Opinion.

6. I prepared a Declaration and Power of Attorney for execution by Mr. Neogi for filing in the United States Patent and Trademark Office in connection with the national stage U.S. Application based on the PCT Application and Response to Written Opinion.

7. I caused the Declaration and Power of Attorney referencing the U.S. Application and PCT Application, in which Mr. Neogi is the sole inventor, and a letter dated December 18, 2001, to be deposited with the United States Postal Service as first class mail in an envelope with prepaid postage addressed to Mr. Neogi requesting that he execute the Declaration and Power of Attorney for the U.S. Application. A true and correct copy of the December 18, 2001 letter and the Declaration and Power of Attorney are attached as Exhibits 1 and 2, respectively.

8. I did not receive any reply from Mr. Neogi in response to my December 18, 2001 letter. I then caused the Declaration and Power of Attorney referencing the U.S. Application and PCT Application, in which Mr. Neogi is the sole inventor, and a letter dated January 3, 2002, to be deposited with the United States Postal Service via Certified Mail Return Receipt Requested in an

envelope with prepaid postage addressed to Mr. Neogi requesting that he execute the Declaration and Power of Attorney for the U.S. Application. A true and correct copy of the January 3, 2002 letter and the Declaration and Power of Attorney are attached as Exhibits 3 and 4, respectively.

9. I did not receive any reply from Mr. Neogi in response to my previous letters. I then caused the Declaration and Power of Attorney referencing the U.S. Application and the PCT Application, in which Mr. Neogi is the sole inventor, and a letter dated January 31, 2002, to be deposited with the United States Postal Service via Certified Mail Return Receipt Requested in an envelope with prepaid postage addressed to Mr. Neogi requesting that he execute the Declaration and Power of Attorney for the U.S. Application. A true and correct copy of the January 31, 2002 letter and the Declaration and Power of Attorney are attached as Exhibits 5 and 6, respectively.

10. On or about May 16, 2002, I received the Notification of Missing Requirements. The Notice requires that a Declaration executed by Mr. Neogi be filed with the U.S. Patent and Trademark Office within two months from the date of the Notice. The date of the Notice is May 10, 2002. The date for replying to the Notice is July 10, 2002 and can be extended to November 10, 2002 with increasing fees for each month after the July 10, 2002 due date. Accordingly, a Declaration executed by Mr. Neogi must be filed with the United States Patent and Trademark Office before these deadlines to prevent irreparable damage to Norsam Technologies, Inc. through abandonment of the U.S. Application.

11. I did not receive any reply from Mr. Neogi in response to my previous letters. I then caused the Declaration and Power of Attorney referencing the U.S. Application and the PCT Application, in which Mr. Neogi is the sole inventor, and a letter dated May 24, 2002 to be deposited with the United States Postal Service via Certified Mail Return Receipt Requested in an envelope

with prepaid postage addressed to Mr. Neogi requesting that he execute the Declaration and Power of Attorney for the U.S. Application. A true and correct copy of the May 24, 2002 letter and the Declaration and Power of Attorney are attached as Exhibits 7 and 8, respectively.

12. I did not receive any reply from Mr. Neogi in response to my previous letters. I then caused the Declaration and Power of Attorney referencing the U.S. Application and the PCT Application, in which Mr. Neogi is the sole inventor, and a letter dated June 17, 2002, to be deposited with the United States Postal Service via Certified Mail Return Receipt Requested in an envelope with prepaid postage addressed to Mr. Neogi requesting that he execute the Declaration and Power of Attorney for the U.S. Application. A true and correct copy of the June 17, 2002 letter and the Declaration and Power of Attorney are attached as Exhibits 9 and 10, respectively. The June 17, 2002 letter was not claimed by Mr. Neogi and was returned to me on July 22, 2002. See Exhibit 11.

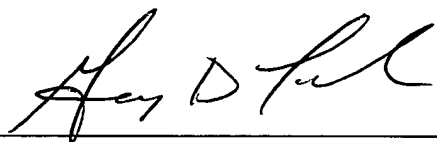
13. As a further attempt to have Mr. Neogi execute the Power of Attorney and Declaration, I caused the Declaration and Power of Attorney referencing the U.S. Application and the PCT Application, in which Mr. Neogi is the sole inventor, and a letter dated July 5, 2002, to be deposited with the United States Postal Service via Certified Mail Return Receipt Requested in an envelope with prepaid postage addressed to Mr. Neogi requesting that he execute the Declaration and Power of Attorney for the U.S. Application. I also forwarded to Mr. Neogi an additional copy of the U.S. Application, PCT Application, and Response to the Written Opinion for reference in the event that Mr. Neogi wanted to review these materials again. A true and correct copy of the July 5, 2002 letter and the Declaration and Power of Attorney are attached as Exhibits 12 and 13, respectively.

14. I did not receive any reply from Mr. Neogi in response to my previous letters, including the July 5, 2002 letter. As a further attempt to have Mr. Neogi execute the Power of Attorney and Declaration, I caused the Declaration and Power of Attorney referencing the U.S. Application and the PCT Application, in which Mr. Neogi is the sole inventor, and a letter dated July 22, 2002, to be deposited with the United States Postal Service via Certified Mail Return Receipt Requested in an envelope with prepaid postage addressed to Mr. Neogi requesting that he execute the Declaration and Power of Attorney for the U.S. Application. I again forwarded to Mr. Neogi additional copies of the U.S. Application, PCT Application, and Response to the Written Opinion for reference. A true and correct copy of the July 22, 2002 letter and the Declaration and Power of Attorney are attached as Exhibits 14 and 15, respectively. Again, this letter was not claimed by Mr. Neogi. See Exhibit 16.

15. As of the date of this Declaration, I have not received an executed Declaration from Mr. Neogi in connection with the U.S. Application or otherwise received a reply from Mr. Neogi.

16. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: August 9, 2002

  
\_\_\_\_\_  
Gary D. Lueck

KEC PAS446378.3-\* -8/12/02 11:14 AM

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

Docket No. : 42637/GDL/N288

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD APPARATUS AND ARTICLE OF MANUFACTURE FOR BRANDING A DIAMOND WITH A FOCUSED ION BEAM, the specification of which is attached hereto unless the following is checked:

\_\_\_ was filed on \_\_\_ as United States Application Number or PCT International Application Number \_\_\_ and was amended on \_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of the foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, any foreign application for patent or inventor's certificate, or any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

<u>Application Number</u>	<u>Country</u>	<u>Filing Date (day/month/year)</u>	<u>Priority Claimed</u>
PCT/US0016761	PCT	June 16, 2000	YES

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>Application Number</u>	<u>Filing Date</u>
60/139,535	June 16, 1999

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112.

<u>Application Number</u>	<u>Filing Date</u>	<u>Patented/Pending/Abandoned</u>
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**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

**Docket No. 42637/GDL/N288**

**POWER OF ATTORNEY:** I hereby appoint the following attorneys and agents of the law firm CHRISTIE, PARKER & HALE, LLP to prosecute this application and any international application under the Patent Cooperation Treaty based on it and to transact all business in the U.S. Patent and Trademark Office connected with either of them in accordance with instructions from the assignee of the entire interest in this application; or from the first or sole inventor named below in the event the application is not assigned; or from \_ in the event the power granted herein is for an application filed on behalf of a foreign attorney or agent.

R. W. Johnston	(17,968)	Daniel R. Kimbell	(34,849)	Robert A. Green	(28,301)
D. Bruce Prout	(20,958)	Craig A. Gelfound	(41,032)	John W. Peck	(44,284)
Hayden A. Carney	(22,653)	Syed A. Hasan	(41,057)	Stephen D. Burbach	(40,285)
Richard J. Ward, Jr.	(24,187)	Kathleen M. Olster	(42,052)	David B. Sandelands, Jr.	(46,023)
Russell R. Palmer, Jr.	(22,994)	Daniel M. Cavanagh	(41,661)	Heidi L. Eisenhut	(46,812)
LeRoy T. Rahn	(20,356)	Molly A. Holman	(40,022)	Nicholas J. Pauley	(44,999)
Richard D. Seibel	(22,134)	Joel A. Kauth	(41,886)	Mark J. Marcelli	(36,593)
Walter G. Maxwell	(25,355)	Patrick Y. Ikehara	(42,681)	Peter A. Nichols	(47,822)
William P. Christie	(29,371)	Mark Garscia	(31,953)	David J. Steele	(47,317)
David A. Dillard	(30,831)	Gary J. Nelson	(44,257)	Laurence H. Pretty	(25,312)
Thomas J. Daly	(32,213)	Raymond R. Tabandeh	(43,945)	Robert A. Schroeder	(25,373)
Vincent G. Gioia	(19,959)	Cynthia A. Bonner	(44,548)	Richard A. Wallen	(22,671)
Edward R. Schwartz	(31,135)	Jun-Young E. Jeon	(43,693)	Michael J. MacDermott	(29,946)
John D. Carpenter	(34,133)	Marc A. Karish	(44,816)	Anne Wang	(36,045)
David A. Plumley	(37,208)	John F. O'Rourke	(38,985)	Richard A. Clegg	(33,485)
Wesley W. Monroe	(39,778)	Richard J. Paciulan	(28,248)	Natu J. Patel	(39,559)
Gregory S. Lampert	(35,581)	Josephine E. Chang	(46,083)	Tom H. Dao	(44,641)
Grant T. Langton	(39,739)	Frank L. Cire	(42,419)	Gary D. Lueck	(P-50,791)
Constantine Marantidis	(39,759)	Harold E. Wurst	(22,183)		

The authority under this Power of Attorney of each person named above shall automatically terminate and be revoked upon such person ceasing to be a member or associate of or of counsel to that law firm.

**DIRECT TELEPHONE CALLS TO: Gary D. Lueck, 626/795-9900**

**SEND CORRESPONDENCE TO:**  
**CHRISTIE, PARKER & HALE, LLP**  
**P.O. Box 7068**  
**Pasadena, CA 91109-7068**

**Customer Number: 23363**

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

Docket No. 42637/GDL/N288

<b>NAME OF SOLE OR FIRST INVENTOR</b>			
Jayant Neogi			
Inventor's Signature			Date
City	State	Country	Citizenship
Residence: Aloha	Oregon	USA	US
Mailing Address: 19150 SW Leanne Court, Aloha, OR 97007			

<b>NAME OF SECOND INVENTOR</b>			
Inventor's Signature			Date
City	State	Country	Citizenship
Residence:			
Mailing Address:			

<b>NAME OF THIRD INVENTOR</b>			
Inventor's Signature			Date
City	State	Country	Citizenship
Residence:			
Mailing Address:			

<b>NAME OF FOURTH INVENTOR</b>			
Inventor's Signature			Date
City	State	Country	Citizenship
Residence:			
Mailing Address:			

GMV PAS402027.1.12/18/01 10:47 AM

D BRUCE PROUT  
 RICHARD J WARD, JR  
 LEROY T RAHN  
 WALTER G MAXWELL  
 WILLIAM P CHRISTIE  
 DAVID A DILLARD  
 THOMAS J DALY  
 VINCENT G GIOIA  
 THEODORE A PIANKO  
 EDWARD R SCHWARTZ  
 JOHN D CARPENTER  
 WESLEY W MONROE  
 DAVID A PLUMLEY  
 GREGORY S LAMPERT  
 JAMES E DOROSHOW  
 MARK GARCIA  
 GRANT T LANGTON  
 SYED A HASAN  
 HAROLD E WURST  
 ROBERT A GREEN  
 HOWARD A KROLL  
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 MICHAEL J MACDERMOTT  
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 CONSTANTINE MARANTIDIS  
 DANIEL R KIMBELL  
 CRAIG A GELFOUND  
 DANIEL M CAVANAGH  
 GARY J NELSON  
 KATHLEEN M OLSTER  
 JOSEPHINE E CHANG  
 JOEL A KAUTH  
 PATRICK Y IKEHARA  
 CHARLES R HALLORAN  
 RAYMOND R TABANDEH  
 GARY S DUKARICH  
 CYNTHIA A BONNER, Ph D  
 JOHN F O'ROURKE  
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MARC A KARISH  
 PETER A NICHOLS  
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 LEIGH O LINDER  
 BRIAN K BROOKEY  
 NICHOLAS J PAULEY  
 MARK J MARCELLI  
 DAVID J STEELE  
 JOHN W PECK, Ph D  
 BRIAN L YATES  
 GARY D LUECK  
 JAMES M COLLISON  
 NATU J. PATEL  
 TOM H DAO  
 FRANK L CIRE  
 RODNEY V WARFFORD\*\*  
 STEPHEN M LOBBIN  
 DAVID J BAILEY\*\*\*  
 KEVIN K LEUNG  
 ROSE A HICKMAN  
 KSENYA MEDVEDEV

OF COUNSEL

R WILLIAM JOHNSTON  
 HAYDEN A CARNEY  
 RUSSELL R PALMER, JR.  
 RICHARD D SEIBEL  
 THERESA W. MIDDLEBROOK  
 RICHARD J. PACIULAN\*\*\*\*  
 ALAN M. KINDRED  
 RICHARD A. CLEGG

TECHNICAL SPECIALISTS

ULESES C. HENDERSON, JR.  
 ANDREW G INGRAM  
 ERNESTO PACHECO

\*ADMITTED ONLY IN PA, DC  
 \*\*ADMITTED ONLY IN TX  
 \*\*\*ADMITTED ONLY IN NY  
 \*\*\*\*ADMITTED ONLY IN MA

# CHRISTIE PARKER & HALE

LLP

Intellectual Property  
 Lawyers

REPLY TO PASADENA

January 3, 2002

Res' PCT/PTO 12 AUG 2002

PASADENA OFFICE

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3501 JAMBOREE ROAD  
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 NEWPORT BEACH, CALIFORNIA 92660  
 TELEPHONE (949) 476-0757  
 FACSIMILE: (949) 476-8640

JAMES B. CHRISTIE (1904-1959)  
 ROBERT L. PARKER (1920-1980)

OUR REFERENCE

N288:42637

Mr. Jayant Neogi  
 19150 SW Leanne Court  
 Aloha, OR 97007

Via Certified Mail

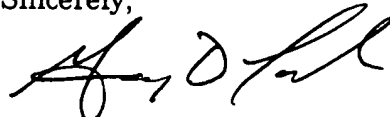
Re: Patent Application Entitled  
**METHOD APPARATUS AND ARTICLE OF MANUFACTURE FOR  
 BRANDING A DIAMOND WITH A FOCUSED ION BEAM**

Dear Jayant:

Enclosed is a Declaration and Power of Attorney and an Assignment for the above-identified patent application that was filed as a PCT application on June 16, 2000.

Please return the executed enclosures to me as soon as possible, and I will forward it to the Patent and Trademark Office for filing.

Sincerely,



Gary D. Lueck

GDL/gv

Enclosures: Declaration and Power of Attorney  
 Assignment

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

Docket No. : 42637/GDL/N288

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD APPARATUS AND ARTICLE OF MANUFACTURE FOR BRANDING A DIAMOND WITH A FOCUSED ION BEAM, the specification of which is attached hereto unless the following is checked:

\_\_\_ was filed on \_\_\_ as United States Application Number or PCT International Application Number \_\_\_ and was amended on \_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of the foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, any foreign application for patent or inventor's certificate, or any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

<u>Application Number</u>	<u>Country</u>	<u>Filing Date (day/month/year)</u>	<u>Priority Claimed</u>
PCT/US0016761	PCT	June 16, 2000	YES

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>Application Number</u>	<u>Filing Date</u>
60/139,535	June 16, 1999

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112.

<u>Application Number</u>	<u>Filing Date</u>	<u>Patented/Pending/Abandoned</u>
---------------------------	--------------------	-----------------------------------

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**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

---

**Docket No. 42637/GDLN288**

---

**POWER OF ATTORNEY:** I hereby appoint the following attorneys and agents of the law firm CHRISTIE, PARKER & HALE, LLP to prosecute this application and any international application under the Patent Cooperation Treaty based on it and to transact all business in the U.S. Patent and Trademark Office connected with either of them in accordance with instructions from the assignee of the entire interest in this application; or from the first or sole inventor named below in the event the application is not assigned; or from \_\_ in the event the power granted herein is for an application filed on behalf of a foreign attorney or agent.

R. W. Johnston	(17,968)	Daniel R. Kimbell	(34,849)	Robert A. Green	(28,301)
D. Bruce Prout	(20,958)	Craig A. Gelfound	(41,032)	John W. Peck	(44,284)
Hayden A. Carney	(22,653)	Syed A. Hasan	(41,057)	Stephen D. Burbach	(40,285)
Richard J. Ward, Jr.	(24,187)	Kathleen M. Olster	(42,052)	David B. Sandelands, Jr.	(46,023)
Russell R. Palmer, Jr.	(22,994)	Daniel M. Cavanagh	(41,661)	Heidi L. Eisenhut	(46,812)
LeRoy T. Rahn	(20,356)	Molly A. Holman	(40,022)	Nicholas J. Pauley	(44,999)
Richard D. Seibel	(22,134)	Joel A. Kauth	(41,886)	Mark J. Marcelli	(36,593)
Walter G. Maxwell	(25,355)	Patrick Y. Ikehara	(42,681)	Peter A. Nichols	(47,822)
William P. Christie	(29,371)	Mark Garscia	(31,953)	David J. Steele	(47,317)
David A. Dillard	(30,831)	Gary J. Nelson	(44,257)	Laurence H. Pretty	(25,312)
Thomas J. Daly	(32,213)	Raymond R. Tabandeh	(43,945)	Robert A. Schroeder	(25,373)
Vincent G. Gioia	(19,959)	Cynthia A. Bonner	(44,548)	Richard A. Wallen	(22,671)
Edward R. Schwartz	(31,135)	Jun-Young E. Jeon	(43,693)	Michael J. MacDermott	(29,946)
John D. Carpenter	(34,133)	Marc A. Karish	(44,816)	Anne Wang	(36,045)
David A. Plumley	(37,208)	John F. O'Rourke	(38,985)	Richard A. Clegg	(33,485)
Wesley W. Monroe	(39,778)	Richard J. Paciulan	(28,248)	Natu J. Patel	(39,559)
Gregory S. Lampert	(35,581)	Josephine E. Chang	(46,083)	Tom H. Dao	(44,641)
Grant T. Langton	(39,739)	Frank L. Cire	(42,419)	Gary D. Lueck	(P-50,791)
Constantine Marantidis	(39,759)	Harold E. Wurst	(22,183)		

The authority under this Power of Attorney of each person named above shall automatically terminate and be revoked upon such person ceasing to be a member or associate of or of counsel to that law firm.

**DIRECT TELEPHONE CALLS TO: Gary D. Lueck, 626/795-9900**

**SEND CORRESPONDENCE TO:**

**Customer Number: 23363**

**CHRISTIE, PARKER & HALE, LLP**

**P.O. Box 7068**

**Pasadena, CA 91109-7068**

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

Docket No. 42637/GDL/N288

<b>NAME OF SOLE OR FIRST INVENTOR</b>			
Jayant Neogi			
Inventor's Signature			Date
City Residence: Aloha	State Oregon	Country USA	Citizenship US
Mailing Address: 19150 SW Leanne Court, Aloha, OR 97007			

<b>NAME OF SECOND INVENTOR</b>			
Inventor's Signature			Date
City Residence:	State	Country	Citizenship
Mailing Address:			

<b>NAME OF THIRD INVENTOR</b>			
Inventor's Signature			Date
City Residence:	State	Country	Citizenship
Mailing Address:			

<b>NAME OF FOURTH INVENTOR</b>			
Inventor's Signature			Date
City Residence:	State	Country	Citizenship
Mailing Address:			

GMV PAS402027.1.\*-1/3/02 2:06 PM

D. BRUCE PROUT  
RICHARD J. WARD, JR.  
LEROY T. RAHN  
WALTER G. MAXWELL  
WILLIAM P. CHRISTIE  
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MARK J. MARCELLI  
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BRIAN L. YATES  
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NATU J. PATEL  
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STEPHEN M. LOBBIN  
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OF COUNSEL

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ALAN M. KINDRED  
RICHARD A. CLEGG

TECHNICAL SPECIALISTS

ULESES C. HENDERSON, JR.  
ANDREW G. INGRAM  
ERNESTO PACHECO

\*ADMITTED ONLY IN PA, DC  
\*\*ADMITTED ONLY IN TX  
\*\*\*ADMITTED ONLY IN NY  
\*\*\*\*ADMITTED ONLY IN MA

# CHRISTIE PARKER & HALE

LLP

Intellectual Property  
Lawyers

REPLY TO PASADENA

January 31, 2002

PASADENA OFFICE

350 WEST COLORADO BOULEVARD  
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3501 JAMBOREE ROAD  
SUITE 6000  
NEWPORT BEACH, CALIFORNIA 92660  
TELEPHONE (949) 476-0757  
FACSIMILE (949) 476-8640

JAMES B. CHRISTIE (1904-1959)  
ROBERT L. PARKER (1920-1980)

OUR REFERENCE

N288:42637

Mr. Jayant Neogi  
19150 SW Leanne Court  
Aloha, OR 97007

Via Certified Mail

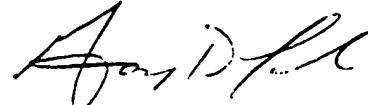
Re: **Patent Application Entitled  
METHOD APPARATUS AND ARTICLE OF MANUFACTURE FOR  
BRANDING A DIAMOND WITH A FOCUSED ION BEAM**

Dear Jayant:

Enclosed is a Declaration and Power of Attorney and an Assignment for the above-identified patent application that was filed as a PCT application on June 16, 2000.

Please return the executed enclosures to me as soon as possible, and I will forward it to the Patent and Trademark Office for filing.

Sincerely,



Gary D. Lueck

GDL/gv

Enclosures: Declaration and Power of Attorney  
Assignment

GMV PAS405704.1.-1/31/02 8:13 AM

Exhibit 5

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

PATENT

Docket No. : 42637/GDL/N288

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD APPARATUS AND ARTICLE OF MANUFACTURE FOR BRANDING A DIAMOND WITH A FOCUSED ION BEAM, the specification of which is attached hereto unless the following is checked:

\_\_\_ was filed on \_\_\_ as United States Application Number or PCT International Application Number \_\_\_ and was amended on \_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

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Prior Foreign Application(s)

<u>Application Number</u>	<u>Country</u>	<u>Filing Date (day/month/year)</u>	<u>Priority Claimed</u>
PCT/US0016761	PCT	June 16, 2000	YES

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>Application Number</u>	<u>Filing Date</u>
60/139,535	June 16, 1999

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112.

<u>Application Number</u>	<u>Filing Date</u>	<u>Patented/Pending/Abandoned</u>
---------------------------	--------------------	-----------------------------------



**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

**Docket No. 42637/GDL/N288**

**POWER OF ATTORNEY:** I hereby appoint the following attorneys and agents of the law firm CHRISTIE, PARKER & HALE, LLP to prosecute this application and any international application under the Patent Cooperation Treaty based on it and to transact all business in the U.S. Patent and Trademark Office connected with either of them in accordance with instructions from the assignee of the entire interest in this application; or from the first or sole inventor named below in the event the application is not assigned; or from \_ in the event the power granted herein is for an application filed on behalf of a foreign attorney or agent.

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Grant T. Langton	(39,739)	Frank L. Cire	(42,419)	Gary D. Lueck	(P-50,791)
Constantine Marantidis	(39,759)	Harold E. Wurst	(22,183)		

The authority under this Power of Attorney of each person named above shall automatically terminate and be revoked upon such person ceasing to be a member or associate of or of counsel to that law firm.

**DIRECT TELEPHONE CALLS TO: Gary D. Lueck, 626/795-9900**

**SEND CORRESPONDENCE TO:**  
**CHRISTIE, PARKER & HALE, LLP**  
**P.O. Box 7068**  
**Pasadena, CA 91109-7068**

**Customer Number: 23363**

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

Docket No. 42637/GDL/N288

<b>NAME OF SOLE OR FIRST INVENTOR</b>			
Jayant Neogi			
Inventor's Signature			Date
City	State	Country	Citizenship
Residence: Aloha	Oregon	USA	US
Mailing Address: 19150 SW Leanne Court, Aloha, OR 97007			

<b>NAME OF SECOND INVENTOR</b>			
Inventor's Signature			Date
City	State	Country	Citizenship
Residence:			
Mailing Address:			

<b>NAME OF THIRD INVENTOR</b>			
Inventor's Signature			Date
City	State	Country	Citizenship
Residence:			
Mailing Address:			

<b>NAME OF FOURTH INVENTOR</b>			
Inventor's Signature			Date
City	State	Country	Citizenship
Residence:			
Mailing Address:			

GMV PAS402027.1-1/3/02 2:06 PM

## ASSIGNMENT

WHEREAS, I, JAYANT NEOGI, residing at 19150 SW Leanne Court, Alhoa, OR 97007, have invented certain new and useful improvements disclosed in an application for United States Letters Patent entitled **METHOD APPARATUS AND ARTICLE OF MANUFACTURE FOR BRANDING A DIAMOND WITH A FOCUSED ION BEAM**, and executed by me on and with claim to the priority of PCT Application No. PCT/US00/16761, filed June 16, 2000 which claims priority of United States Provisional Application No. 60/139,535, filed June 16, 1999;

AND WHEREAS NORSAM TECHNOLOGIES, INC., a New Mexico corporation, having a place of business at 852 Gilmore Street, Santa Fe, New Mexico, 87501 (hereafter, together with any successors, legal representatives or assigns thereof, called "ASSIGNEE") wants to acquire the entire right, title and interest in and to said improvements and application.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I have sold, assigned, transferred and set over, and do hereby sell, assign, transfer and set over to ASSIGNEE the entire right, title and interest in and to said improvements, and said application and all divisions and continuations thereof, and all United States Letters Patents which may be granted thereon and all reissues, reexaminations and extensions thereof, and all priority rights under all available International Agreements, Treaties and Conventions for the protection of intellectual property in its various forms in every participating country, and all applications for patents (including related rights such as utility-model registrations, inventor's certificates, and the like) heretofore or hereafter filed for said improvements in any foreign countries, and all patents (including all continuations, divisions, extensions, renewals, substitutes, and reissues thereof) granted for said improvements in any foreign countries; and I hereby authorize and request the United States Commissioner of Patents and Trademarks, and any officials of foreign countries whose duty it is to issue patents on applications as aforesaid, to issue all patents for said improvements to ASSIGNEE in accordance with the terms of this Assignment;

AND I HEREBY covenant that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith;

AND I HEREBY further covenant and agree that I will communicate to ASSIGNEE any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitute and reissue applications, make all rightful oaths and generally do everything possible to aid ASSIGNEE to obtain and enforce proper patent protection for said improvements in all countries.

ASSIGNMENT  
Docket No. 42637/GDL/N288

Sole

IN TESTIMONY WHEREOF, I hereunto set my hand this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

STATE OF  
COUNTY OF

)  
)

\_\_\_\_\_  
Jayant Neogi

On \_\_\_\_\_, before me \_\_\_\_\_, Notary Public,  
personally appeared **Jayant Neogi** personally known to me (or proved to me on the basis of satisfactory  
evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me  
that he executed the same in his authorized capacity, and that by his signature on the instrument the  
person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary

GDL/gv

GMV PAS405691.1.\*-1/3/02 1:40 PM

D. BRUCE PROUT  
 RICHARD J. WARD, JR.  
 LEROY T. RAHN  
 WALTER G. MAXWELL  
 WILLIAM P. CHRISTIE  
 DAVID A. DILLARD  
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 RICHARD A. CLEGG

TECHNICAL SPECIALISTS

ULESES C. HENDERSON, JR.  
 ANDREW G. INGRAM

\*ADMITTED ONLY IN PA, DC  
 \*\*ADMITTED ONLY IN TX  
 \*\*\*ADMITTED ONLY IN NY  
 \*\*\*\*ADMITTED ONLY IN MA

# CHRISTIE PARKER & HALE

LLP

Intellectual Property  
 Lawyers

REPLY TO PASADENA

May 24, 2002

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JAMES B. CHRISTIE (1904-1959)  
 ROBERT L. PARKER (1920-1980)

OUR REFERENCE

N288:42637

Via Certified Mail

Mr. Jayant Neogi  
 19150 SW Leanne Court  
 Aloha, OR 97007

Re: Declaration and Power of Attorney and Assignment for  
 United States Patent Application Entitled METHOD APPARATUS AND  
 ARTICLE OF MANUFACTURE FOR BRANDING A DIAMOND WITH A  
 FOCUSED ION BEAM

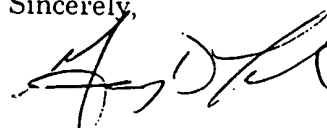
U.S. Application No. 10/018,817; Filed December 17, 2001

Dear Mr. Neogi:

Enclosed is a Declaration and Power of Attorney and Assignment for the above-identified patent application.

Please return the executed Declaration and Power of Attorney and Assignment to me as soon as possible, and I will forward it to the Patent and Trademark Office for filing.

Sincerely,



Gary D. Lueck

GDL/gv

Enclosure: Declaration and Power of Attorney  
 Assignment

GMV PAS437081.1 \* 5/24/02 12:13 PM

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

PATENT

Docket No. : 42637/GDL/N288

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD APPARATUS AND ARTICLE OF MANUFACTURE FOR BRANDING A DIAMOND WITH A FOCUSED ION BEAM, the specification of which is attached hereto unless the following is checked:

☒ was filed on December 17, 2001 as United States Application Number or PCT International Application Number 10/018,817.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of the foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, any foreign application for patent or inventor's certificate, or any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

<u>Application Number</u>	<u>Country</u>	<u>Filing Date (day/month/year)</u>	<u>Priority Claimed</u>
PCT/US0016761	PCT	June 16, 2000	YES

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>Application Number</u>	<u>Filing Date</u>
60/139,535	June 16, 1999

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112.

<u>Application Number</u>	<u>Filing Date</u>	<u>Patented/Pending/Abandoned</u>
---------------------------	--------------------	-----------------------------------

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

Docket No. 42637/GDL/N288

**POWER OF ATTORNEY:** I hereby appoint the following attorneys and agents of the law firm CHRISTIE, PARKER & HALE, LLP to prosecute this application and any international application under the Patent Cooperation Treaty based on it and to transact all business in the U.S. Patent and Trademark Office connected with either of them in accordance with instructions from the assignee of the entire interest in this application; or from the first or sole inventor named below in the event the application is not assigned; or from \_\_ in the event the power granted herein is for an application filed on behalf of a foreign attorney or agent.

R. W. Johnston	(17,968)	Daniel R. Kimbell	(34,849)	Robert A. Green	(28,301)
D. Bruce Prout	(20,958)	Craig A. Gelfound	(41,032)	John W. Peck	(44,284)
Hayden A. Carney	(22,653)	Syed A. Hasan	(41,057)	Stephen D. Burbach	(40,285)
Richard J. Ward, Jr.	(24,187)	Kathleen M. Olster	(42,052)	David B. Sandelands, Jr.	(46,023)
Russell R. Palmer, Jr.	(22,994)	Daniel M. Cavanagh	(41,661)	Heidi L. Eisenhut	(46,812)
LeRoy T. Rahn	(20,356)	Molly A. Holman	(40,022)	Nicholas J. Pauley	(44,999)
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Walter G. Maxwell	(25,355)	Patrick Y. Ikehara	(42,681)	Peter A. Nichols	(47,822)
William P. Christie	(29,371)	Mark Garscia	(31,953)	David J. Steele	(47,317)
David A. Dillard	(30,831)	Gary J. Nelson	(44,257)	Laurence H. Pretty	(25,312)
Thomas J. Daly	(32,213)	Raymond R. Tabandeh	(43,945)	Robert A. Schroeder	(25,373)
Vincent G. Gioia	(19,959)	Cynthia A. Bonner	(44,548)	Richard A. Wallen	(22,671)
Edward R. Schwartz	(31,135)	Jun-Young E. Jeon	(43,693)	Michael J. MacDermott	(29,946)
John D. Carpenter	(34,133)	Marc A. Karish	(44,816)	Anne Wang	(36,045)
David A. Plumley	(37,208)	John F. O'Rourke	(38,985)	Richard A. Clegg	(33,485)
Wesley W. Monroe	(39,778)	Richard J. Paciulan	(28,248)	Natu J. Patel	(39,559)
Gregory S. Lampert	(35,581)	Josephine E. Chang	(46,083)	Tom H. Dao	(44,641)
Grant T. Langton	(39,739)	Frank L. Cire	(42,419)	Gary D. Lueck	(50,791)
Constantine Marantidis	(39,759)	Harold E. Wurst	(22,183)		

The authority under this Power of Attorney of each person named above shall automatically terminate and be revoked upon such person ceasing to be a member or associate of or of counsel to that law firm.

**DIRECT TELEPHONE CALLS TO:** Gary D. Lueck, 626/795-9900

**SEND CORRESPONDENCE TO:**  
CHRISTIE, PARKER & HALE, LLP  
P.O. Box 7068  
Pasadena, CA 91109-7068

**Customer Number:** 23363

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

Docket No. 42637/GDL/N288

<b>NAME OF SOLE OR FIRST INVENTOR</b>			
Jayant Neogi			
Inventor's Signature			Date
City Residence: Aloha	State Oregon	Country USA	Citizenship US
Mailing Address: 19150 SW Leanne Court, Aloha, OR 97007			

<b>NAME OF SECOND INVENTOR</b>			
Inventor's Signature			Date
City Residence:	State	Country	Citizenship
Mailing Address:			

<b>NAME OF THIRD INVENTOR</b>			
Inventor's Signature			Date
City Residence:	State	Country	Citizenship
Mailing Address:			

<b>NAME OF FOURTH INVENTOR</b>			
Inventor's Signature			Date
City Residence:	State	Country	Citizenship
Mailing Address:			

GMV PAS402027 1.-.5/24/02 12:24 PM



D. BRUCE PROUT  
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LEROY T. RAHN  
WALTER G. MAXWELL  
WILLIAM P. CHRISTIE  
DAVID A. DILLARD  
THOMAS J. DALY  
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RODNEY V. WARFFORD\*\*  
STEPHEN M. LOBBIN  
DAVID J. BAILEY\*\*\*  
KEVIN K. LEUNG  
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THERESA W. MIDDLEBROOK  
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ALAN M. KINDRED  
RICHARD A. CLEGG

TECHNICAL SPECIALISTS

ULESES C. HENDERSON, JR.  
ANDREW G. INGRAM

\*ADMITTED ONLY IN PA, DC  
\*\*ADMITTED ONLY IN TX  
\*\*\*ADMITTED ONLY IN NY  
\*\*\*\*ADMITTED ONLY IN MA

# CHRISTIE PARKER & HALE

LLP

Intellectual Property  
Lawyers

REPLY TO PASADENA

June 17, 2002

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JAMES B. CHRISTIE (1904-1959)  
ROBERT L. PARKER (1920-1980)

OUR REFERENCE

N288:42637

Via Certified Mail

Mr. Jayant Neogi  
19150 SW Leanne Court  
Aloha, OR 97007

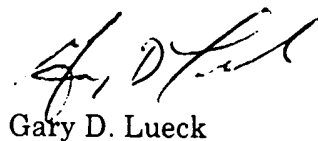
Re: **United States Patent Application Entitled**  
**METHOD AND APPARATUS FOR BRANDING A DIAMOND WITH A**  
**FOCUSED ION BEAM**  
**Application No. 10/018,817; Filed December 17, 2001**

Dear Mr. Neogi:

Enclosed is a Declaration and Power of Attorney and Assignment for the above-identified patent application.

Please return the executed Declaration and Power of Attorney and Assignment to me as soon as possible, and I will forward it to the Patent and Trademark Office for filing.

Sincerely,



Gary D. Lueck

GDL/gv

Encls. As stated

GMV PAS442724.1.\*-6/17/02 1:54 PM

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

Docket No. : 42637/GDL/N288

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD APPARATUS AND ARTICLE OF MANUFACTURE FOR BRANDING A DIAMOND WITH A FOCUSED ION BEAM, the specification of which is attached hereto unless the following is checked:

x was filed on December 17, 2001 as United States Application Number or PCT International Application Number 10/018,817.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of the foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, any foreign application for patent or inventor's certificate, or any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

<u>Application Number</u>	<u>Country</u>	<u>Filing Date (day/month/year)</u>	<u>Priority Claimed</u>
PCT/US0016761	PCT	June 16, 2000	YES

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>Application Number</u>	<u>Filing Date</u>
60/139,535	June 16, 1999

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112.

<u>Application Number</u>	<u>Filing Date</u>	<u>Patented/Pending/Abandoned</u>
---------------------------	--------------------	-----------------------------------

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**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

---

**Docket No. 42637/GDL/N288**

---

**POWER OF ATTORNEY:** I hereby appoint the following attorneys and agents of the law firm CHRISTIE, PARKER & HALE, LLP to prosecute this application and any international application under the Patent Cooperation Treaty based on it and to transact all business in the U.S. Patent and Trademark Office connected with either of them in accordance with instructions from the assignee of the entire interest in this application; or from the first or sole inventor named below in the event the application is not assigned; or from \_ in the event the power granted herein is for an application filed on behalf of a foreign attorney or agent.

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Edward R. Schwartz	(31,135)	Jun-Young E. Jeon	(43,693)	Michael J. MacDermott	(29,946)
John D. Carpenter	(34,133)	Marc A. Karish	(44,816)	Anne Wang	(36,045)
David A. Plumley	(37,208)	John F. O'Rourke	(38,985)	Richard A. Clegg	(33,485)
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Gregory S. Lampert	(35,581)	Josephine E. Chang	(46,083)	Tom H. Dao	(44,641)
Grant T. Langton	(39,739)	Frank L. Cire	(42,419)	Gary D. Lueck	(50,791)
Constantine Marantidis	(39,759)	Harold E. Wurst	(22,183)		

The authority under this Power of Attorney of each person named above shall automatically terminate and be revoked upon such person ceasing to be a member or associate of or of counsel to that law firm.

**DIRECT TELEPHONE CALLS TO: Gary D. Lueck, 626/795-9900**

**SEND CORRESPONDENCE TO:**  
**CHRISTIE, PARKER & HALE, LLP**  
**P.O. Box 7068**  
**Pasadena, CA 91109-7068**

**Customer Number: 23363**

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

Docket No. 42637/GDL/N288

<b>NAME OF SOLE OR FIRST INVENTOR</b>			
Jayant Neogi			
Inventor's Signature			Date
City	State	Country	Citizenship
Residence: Aloha	Oregon	USA	US
Mailing Address: 19150 SW Leanne Court, Aloha, OR 97007			

<b>NAME OF SECOND INVENTOR</b>			
Inventor's Signature			Date
City	State	Country	Citizenship
Residence:			
Mailing Address:			

<b>NAME OF THIRD INVENTOR</b>			
Inventor's Signature			Date
City	State	Country	Citizenship
Residence:			
Mailing Address:			

<b>NAME OF FOURTH INVENTOR</b>			
Inventor's Signature			Date
City	State	Country	Citizenship
Residence:			
Mailing Address:			

GMV PAS402027 1.-6/17/02 12:16 PM

D. BRUCE PROUT  
RICHARD J. WARD, JR.  
LEROY T. RAHN  
WALTER G. MAXWELL  
WILLIAM P. CHRISTIE  
DAVID A. DILLARD  
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STEPHEN M. LOBBIN  
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KEVIN K. LEUNG  
ROSE A. HICKMAN  
KSENYA MEDVEDEV

OF COUNSEL

R. WILLIAM JOHNSTON  
HAYDEN A. CARNEY  
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RICHARD D. SEIBEL  
THERESA W. MIDDLEBROOK  
RICHARD J. PACIULAN\*\*\*\*  
ALAN M. KINDRED  
RICHARD A. CLEGG

TECHNICAL SPECIALISTS

ULESES C. HENDERSON, JR.  
ANDREW G. INGRAM

\*ADMITTED ONLY IN PA, DC  
\*\*ADMITTED ONLY IN TX  
\*\*\*ADMITTED ONLY IN NY  
\*\*\*\*ADMITTED ONLY IN MA

CHRISTIE  
PARKER  
& HALE  
LLP

Intellectual Property  
Lawyers

REPLY TO PASADENA

July 5, 2002

PASADENA OFFICE

350 WEST COLORADO BOULEVARD  
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JAMES B. CHRISTIE (1904-1959)  
ROBERT L. PARKER (1920-1980)

OUR REFERENCE

N288:42637

Via Certified Mail

Mr. Jayant Neogi  
19150 SW Leanne Court  
Aloha, OR 97007

Re: United States Patent Application Entitled  
METHOD AND APPARATUS FOR BRANDING A DIAMOND WITH A FOCUSED  
ION BEAM  
Application No. 10/018,817; Filed December 17, 2001

Dear Mr. Neogi:

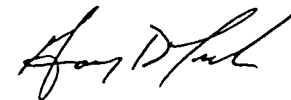
Enclosed is a Declaration and Power of Attorney and Assignment for the above-identified patent application.

I am also enclosing copies of the US Application, PCT Application, and Response to Written Opinion in the event you want to review these materials again.

The national stage United States Application is based on the PCT Application and amendments made in the Response to Written Opinion which we discussed.

Please return the executed Declaration and Power of Attorney and Assignment to me as soon as possible, and I will forward it to the Patent and Trademark Office for filing.

Sincerely,



Gary D. Lueck

GDL/gv  
Enclosures: Declaration and Power of Attorney  
Assignment  
Copy of Application (US and PCT)  
Response to Written Opinion

GMV PAS146507.1\*-7/5/02 8:25 AM

Exhibit 12

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

PATENT

Docket No. : 42637/GDL/N288

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD APPARATUS AND ARTICLE OF MANUFACTURE FOR BRANDING A DIAMOND WITH A FOCUSED ION BEAM, the specification of which is attached hereto unless the following is checked:

☒ was filed on December 17, 2001 as United States Application Number or PCT International Application Number 10/018,817.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of the foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, any foreign application for patent or inventor's certificate, or any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

<u>Application Number</u>	<u>Country</u>	<u>Filing Date (day/month/year)</u>	<u>Priority Claimed</u>
PCT/US0016761	PCT	June 16, 2000	YES

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>Application Number</u>	<u>Filing Date</u>
60/139,535	June 16, 1999

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112.

<u>Application Number</u>	<u>Filing Date</u>	<u>Patented/Pending/Abandoned</u>
---------------------------	--------------------	-----------------------------------

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

**Docket No. 42637/GDL/N288**

**POWER OF ATTORNEY:** I hereby appoint the following attorneys and agents of the law firm CHRISTIE, PARKER & HALE, LLP to prosecute this application and any international application under the Patent Cooperation Treaty based on it and to transact all business in the U.S. Patent and Trademark Office connected with either of them in accordance with instructions from the assignee of the entire interest in this application; or from the first or sole inventor named below in the event the application is not assigned; or from \_\_ in the event the power granted herein is for an application filed on behalf of a foreign attorney or agent.

R. W. Johnston	(17,968)	Daniel R. Kimbell	(34,849)	Robert A. Green	(28,301)
D. Bruce Prout	(20,958)	Craig A. Gelfound	(41,032)	John W. Peck	(44,284)
Hayden A. Carney	(22,653)	Syed A. Hasan	(41,057)	Stephen D. Burbach	(40,285)
Richard J. Ward, Jr.	(24,187)	Kathleen M. Olster	(42,052)	David B. Sandelands, Jr.	(46,023)
Russell R. Palmer, Jr.	(22,994)	Daniel M. Cavanagh	(41,661)	Heidi L. Eisenhut	(46,812)
LeRoy T. Rahn	(20,356)	Molly A. Holman	(40,022)	Nicholas J. Pauley	(44,999)
Richard D. Seibel	(22,134)	Joel A. Kauth	(41,886)	Mark J. Marcelli	(36,593)
Walter G. Maxwell	(25,355)	Patrick Y. Ikehara	(42,681)	Peter A. Nichols	(47,822)
William P. Christie	(29,371)	Mark Garscia	(31,953)	David J. Steele	(47,317)
David A. Dillard	(30,831)	Gary J. Nelson	(44,257)	Laurence H. Pretty	(25,312)
Thomas J. Daly	(32,213)	Raymond R. Tabandeh	(43,945)	Robert A. Schroeder	(25,373)
Vincent G. Gioia	(19,959)	Cynthia A. Bonner	(44,548)	Richard A. Wallen	(22,671)
Edward R. Schwartz	(31,135)	Jun-Young E. Jeon	(43,693)	Michael J. MacDermott	(29,946)
John D. Carpenter	(34,133)	Marc A. Karish	(44,816)	Anne Wang	(36,045)
David A. Plumley	(37,208)	John F. O'Rourke	(38,985)	Richard A. Clegg	(33,485)
Wesley W. Monroe	(39,778)	Richard J. Paciulan	(28,248)	Natu J. Patel	(39,559)
Gregory S. Lampert	(35,581)	Josephine E. Chang	(46,083)	Tom H. Dao	(44,641)
Grant T. Langton	(39,739)	Frank L. Cire	(42,419)	Gary D. Lueck	(50,791)
Constantine Marantidis	(39,759)	Harold E. Wurst	(22,183)		

The authority under this Power of Attorney of each person named above shall automatically terminate and be revoked upon such person ceasing to be a member or associate of or of counsel to that law firm.

**DIRECT TELEPHONE CALLS TO: Gary D. Lueck, 626/795-9900**

**SEND CORRESPONDENCE TO:**  
**CHRISTIE, PARKER & HALE, LLP**  
P.O. Box 7068  
Pasadena, CA 91109-7068

**Customer Number: 23363**

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

Docket No. 42637/GDL/N288

<b>NAME OF SOLE OR FIRST INVENTOR</b>			
Jayant Neogi			
Inventor's Signature			Date
City Residence: Aloha	State Oregon	Country USA	Citizenship US
Mailing Address: 19150 SW Leanne Court, Aloha, OR 97007			

<b>NAME OF SECOND INVENTOR</b>			
Inventor's Signature			Date
City Residence:	State	Country	Citizenship
Mailing Address:			

<b>NAME OF THIRD INVENTOR</b>			
Inventor's Signature			Date
City Residence:	State	Country	Citizenship
Mailing Address:			

<b>NAME OF FOURTH INVENTOR</b>			
Inventor's Signature			Date
City Residence:	State	Country	Citizenship
Mailing Address:			

GMV PAS402027.1.\* 7/5/02 10:43 AM



**ASSIGNMENT**

**WHEREAS, I, JAYANT NEOGI**, residing at 19150 SW Leanne Court, Aloha, OR 97007, have invented certain new and useful improvements disclosed in an application for United States Letters Patent entitled **METHOD AND APPARATUS FOR BRANDING A DIAMOND WITH A FOCUSED ION BEAM**, filed **December 17, 2001**, Application No. **10/018,817**, together with claim to the priority of PCT Application No. **PCT/US00/16761**, filed June 16, 2000 which claims priority of United States Provisional Application No. **60/139,535**, filed June 16, 1999.

**AND WHEREAS NORSAM TECHNOLOGIES, INC.**, a New Mexico corporation, having a place of business at 852 Gilmore Street, Santa Fe, New Mexico, 87501 (hereafter, together with any successors, legal representatives or assigns thereof, called "ASSIGNEE") wants to acquire the entire right, title and interest in and to said improvements and application.

**NOW, THEREFORE**, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I have sold, assigned, transferred and set over, and do hereby sell, assign, transfer and set over to ASSIGNEE the entire right, title and interest in and to said improvements, and said application and all divisions and continuations thereof, and all United States Letters Patents which may be granted thereon and all reissues, reexaminations and extensions thereof, and all priority rights under all available International Agreements, Treaties and Conventions for the protection of intellectual property in its various forms in every participating country, and all applications for patents (including related rights such as utility-model registrations, inventor's certificates, and the like) heretofore or hereafter filed for said improvements in any foreign countries, and all patents (including all continuations, divisions, extensions, renewals, substitutes, and reissues thereof) granted for said improvements in any foreign countries; and I hereby authorize and request the United States Commissioner of Patents and Trademarks, and any officials of foreign countries whose duty it is to issue patents on applications as aforesaid, to issue all patents for said improvements to ASSIGNEE in accordance with the terms of this Assignment;

**AND I HEREBY** covenant that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith;

**AND I HEREBY** further covenant and agree that I will communicate to ASSIGNEE any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitute and reissue applications, make all rightful oaths and generally do everything possible to aid ASSIGNEE to obtain and enforce proper patent protection for said improvements in all countries.

ASSIGNMENT  
Docket No. 42637/GDL/N288

Sole

IN TESTIMONY WHEREOF, I hereunto set my hand this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

STATE OF  
COUNTY OF

)  
)

\_\_\_\_\_  
Jayant Neogi

On \_\_\_\_\_, before me \_\_\_\_\_, Notary Public,  
personally appeared Jayant Neogi personally known to me (or proved to me on the basis of satisfactory  
evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me  
that he executed the same in his authorized capacity, and that by his signature on the instrument the  
person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary

GDL/gv  
GMV PAS437479 1.\*-5/24/02 12:22 PM

**ASSIGNMENT**

**WHEREAS, I, JAYANT NEOGI**, residing at 19150 SW Leanne Court, Aloha, OR 97007, have invented certain new and useful improvements disclosed in an application for United States Letters Patent entitled **METHOD AND APPARATUS FOR BRANDING A DIAMOND WITH A FOCUSED ION BEAM**, filed December 17, 2001, Application No. 10/018,817, together with claim to the priority of PCT Application No. PCT/US00/16761, filed June 16, 2000 which claims priority of United States Provisional Application No. 60/139,535, filed June 16, 1999.

**AND WHEREAS NORSAM TECHNOLOGIES, INC.**, a New Mexico corporation, having a place of business at 852 Gilmore Street, Santa Fe, New Mexico, 87501 (hereafter, together with any successors, legal representatives or assigns thereof, called "ASSIGNEE") wants to acquire the entire right, title and interest in and to said improvements and application.

**NOW, THEREFORE**, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I have sold, assigned, transferred and set over, and do hereby sell, assign, transfer and set over to ASSIGNEE the entire right, title and interest in and to said improvements, and said application and all divisions and continuations thereof, and all United States Letters Patents which may be granted thereon and all reissues, reexaminations and extensions thereof, and all priority rights under all available International Agreements, Treaties and Conventions for the protection of intellectual property in its various forms in every participating country, and all applications for patents (including related rights such as utility-model registrations, inventor's certificates, and the like) heretofore or hereafter filed for said improvements in any foreign countries, and all patents (including all continuations, divisions, extensions, renewals, substitutes, and reissues thereof) granted for said improvements in any foreign countries; and I hereby authorize and request the United States Commissioner of Patents and Trademarks, and any officials of foreign countries whose duty it is to issue patents on applications as aforesaid, to issue all patents for said improvements to ASSIGNEE in accordance with the terms of this Assignment;

**AND I HEREBY** covenant that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith;

**AND I HEREBY** further covenant and agree that I will communicate to ASSIGNEE any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitute and reissue applications, make all rightful oaths and generally do everything possible to aid ASSIGNEE to obtain and enforce proper patent protection for said improvements in all countries.

ASSIGNMENT

Docket No. 42637/GDL/N288

Sole

IN TESTIMONY WHEREOF, I hereunto set my hand this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

STATE OF  
COUNTY OF

)  
)

\_\_\_\_\_  
Jayant Neogi

On \_\_\_\_\_, before me \_\_\_\_\_, Notary Public,  
personally appeared **Jayant Neogi** personally known to me (or proved to me on the basis of satisfactory  
evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me  
that he executed the same in his authorized capacity, and that by his signature on the instrument the  
person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary

GDL/gv  
GMV PAS437479.1.\*-7/5/02 10:43 AM

D. BRUCE PROUT  
RICHARD J. WARD, JR.  
LEROY T. RAHN  
WALTER G. MAXWELL  
WILLIAM P. CHRISTIE  
DAVID A. DILLARD  
THOMAS J. DALY  
VINCENT G. GIOIA  
THEODORE A. PIANKO  
EDWARD R. SCHWARTZ  
JOHN D. CARPENTER  
WESLEY W. MONROE  
DAVID A. PLUMLEY  
GREGORY S. LAMPERT  
MARK GARSCIA  
GRANT T. LANGTON  
SYED A. HASAN  
HAROLD E. WURST  
ROBERT A. GREEN  
HOWARD A. KROLL  
LAURENCE H. PRETTY  
ROBERT A. SCHROEDER  
RICHARD A. WALLEN  
MICHAEL J. MACDERMOTT  
ANNE WANG  
CONSTANTINE MARANTIDIS  
DANIEL R. KIMBELL  
DANIEL M. CAVANAGH  
GARY J. NELSON  
KATHLEEN M. OLSTER  
JOSEPHINE E. CHANG  
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PATRICK Y. IKEHARA  
CHARLES R. HALLORAN  
RAYMOND R. TABANDEH  
GARY S. DUKARICH  
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JUN-YOUNG E. JEON

MARC A. KARISH  
PETER A. NICHOLS  
STEPHEN D. BURBACH  
LEIGH O. LINDER  
BRIAN K. BROOKEY  
MARK J. MARCELLI  
DAVID J. STEELE  
JOHN W. PECK, Ph.D.  
BRIAN L. YATES  
GARY D. LUECK  
JAMES M. COLLISON  
NATU J. PATEL  
TOM H. DAO  
FRANK L. CIRE  
RODNEY V. WARFFORD\*\*  
STEPHEN M. LOBBIN  
DAVID J. BAILEY\*\*\*  
KEVIN K. LEUNG  
ROSE A. HICKMAN  
KSENYA MEDVEDEV

OF COUNSEL

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HAYDEN A. CARNEY  
RUSSELL R. PALMER, JR.  
RICHARD D. SEIBEL  
THERESA W. MIDDLEBROOK  
RICHARD J. PACIULAN\*\*\*\*  
ALAN M. KINDRED  
RICHARD A. CLEGG

TECHNICAL SPECIALISTS

ULESES C. HENDERSON, JR.  
ANDREW G. INGRAM

\*ADMITTED ONLY IN PA, DC  
\*\*ADMITTED ONLY IN TX  
\*\*\*ADMITTED ONLY IN NY  
\*\*\*\*ADMITTED ONLY IN MA

# CHRISTIE PARKER & HALE

LLP

Intellectual Property  
Lawyers

REPLY TO PASADENA

July 22, 2002

PASADENA OFFICE

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SUITE 500  
PASADENA, CALIFORNIA 91105  
POST OFFICE BOX 7068  
PASADENA, CALIFORNIA 91109-7068  
TELEPHONE: (626) 795-9900  
FACSIMILE: (626) 577-8800  
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ORANGE COUNTY OFFICE

3501 JAMBOREE ROAD  
SUITE 6000  
NEWPORT BEACH, CALIFORNIA 92660  
TELEPHONE: (949) 476-0757  
FACSIMILE: (949) 476-8640

JAMES B. CHRISTIE (1904-1959)  
ROBERT L. PARKER (1920-1980)

OUR REFERENCE

N288:42637

Via Certified Mail

Mr. Jayant Neogi  
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Aloha, OR 97007

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Application No. 10/018,817; Filed December 17, 2001

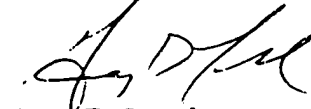
Dear Mr. Neogi:

Enclosed is a Declaration and Power of Attorney and Assignment for the above-identified patent application.

I am also enclosing a copy of the US Application incorporating the Response to Written Opinion in the corresponding PCT application.

Please return the executed Declaration and Power of Attorney and Assignment to me as soon as possible, and I will forward it to the Patent and Trademark Office for filing.

Sincerely,



Gary D. Lueck

GDL/kec

Enclosures: Declaration and Power of Attorney  
Assignment  
Copy of Application (US incorporating Response to Written Opinion)

KEC PAS449766.1\*-7/22/02 4:18 PM

Exhibit 14

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

PATENT

Docket No. : 42637/GDL/N288

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD APPARATUS AND ARTICLE OF MANUFACTURE FOR BRANDING A DIAMOND WITH A FOCUSED ION BEAM, the specification of which is attached hereto unless the following is checked:

☒ was filed on December 17, 2001 as United States Application Number or PCT International Application Number 10/018,817.

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Prior Foreign Application(s)

<u>Application Number</u>	<u>Country</u>	<u>Filing Date (day/month/year)</u>	<u>Priority Claimed</u>
PCT/US0016761	PCT	June 16, 2000	YES

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

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<u>Application Number</u>	<u>Filing Date</u>	<u>Patented/Pending/Abandoned</u>
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**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

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**Docket No. 42637/GDL/N288**

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**POWER OF ATTORNEY:** I hereby appoint the following attorneys and agents of the law firm CHRISTIE, PARKER & HALE, LLP to prosecute this application and any international application under the Patent Cooperation Treaty based on it and to transact all business in the U.S. Patent and Trademark Office connected with either of them in accordance with instructions from the assignee of the entire interest in this application; or from the first or sole inventor named below in the event the application is not assigned; or from \_ in the event the power granted herein is for an application filed on behalf of a foreign attorney or agent.

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Constantine Marantidis	(39,759)	Harold E. Wurst	(22,183)		

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**DIRECT TELEPHONE CALLS TO: Gary D. Lueck, 626/795-9900**

**SEND CORRESPONDENCE TO:**

**Customer Number: 23363**

**CHRISTIE, PARKER & HALE, LLP**

**P.O. Box 7068**

**Pasadena, CA 91109-7068**

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

**Docket No. 42637/GDL/N288**

<b>NAME OF SOLE OR FIRST INVENTOR</b>			
Jayant Neogi			
Inventor's Signature			Date
City	State	Country	Citizenship
Residence: Aloha	Oregon	USA	US
Mailing Address: 19150 SW Leanne Court, Aloha, OR 97007			

<b>NAME OF SECOND INVENTOR</b>			
Inventor's Signature			Date
City	State	Country	Citizenship
Residence:			
Mailing Address:			

<b>NAME OF THIRD INVENTOR</b>			
Inventor's Signature			Date
City	State	Country	Citizenship
Residence:			
Mailing Address:			

<b>NAME OF FOURTH INVENTOR</b>			
Inventor's Signature			Date
City	State	Country	Citizenship
Residence:			
Mailing Address:			

GMV PAS402027.1.\* -6/17/02 12:16 PM